



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,791	01/30/2002	Clinton S. Hartmann	RFSC-0004	3373

27964 7590 07/15/2005

HITT GAINES P.C.
P.O. BOX 832570
RICHARDSON, TX 75083

EXAMINER

DALENCOURT, YVES

ART UNIT	PAPER NUMBER
----------	--------------

2157

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/062,791

Applicant(s)

HARTMANN ET AL.

Examiner

Yves Dalencourt

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 February 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/28/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

PD

DETAILED ACTION

This office action is responsive to communication filed on 01/13/2002.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 2, 5, 10 – 12, 15, 20 – 22, and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Yoakum et al (US 6,421,674; hereinafter Yoakum).

Regarding claims 1, 11, and 21, Yoakum teaches an object-naming network infrastructure and method (fig. 5), comprising a central object name server coupled to a computer network and constituting a first hierarchical level (500, fig. 5; col. 8, lines 48 – 67); and peripheral object name servers coupled to said computer network and constituting a second hierarchical level, said central object name server responding to an object name query received from a querying system by directing said querying system to query instead one of said peripheral object name servers in said second hierarchical level, said one of said peripheral object name servers alternatively responding to said query with an object name or directing said querying system to query

instead further peripheral object name servers constituting a third hierarchical level (508A-508Z; fig. 4; col. 4, lines 22 – 59; col. 9, lines 3 – 63).

Regarding claims 2, 12, and 22, Yoakum teaches the infrastructure and method as recited in claims 1, 11, and 21, wherein said object name query comprises a unique code associated with said object name (fig. 4; col. 8, lines 10 - 45).

Regarding claims 5, 15, and 25, Yoakum teaches the infrastructure and method as recited in claims 1, 11, and 21, wherein said querying system contains an object name cache for containing said object name, said querying system directing said object name query to said cache before directing said object name query to said central object name server (502, fig. 5; col. 8, line 58 through col. col. 9, line 11).

Regarding claims 10 and 20, Yoakum teaches the infrastructure as recited in claim 1, 1 wherein said computer network is the Internet (col. 2, lines 30 – 38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3 – 4, 6 - 9, 13 – 14, 16 – 19, 23 – 24, and 26 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoakum et al (US 6,421,674; hereinafter Yoakum) in view of Carrender et al (US 2003/0137403; hereinafter Carrender).

Regarding claims 3, 9, 13, 19, 23, and 28, Yoakum teaches substantially all the limitations in claim 1, but fails to specifically teach that said object name query comprises a 96-bit number derived from an identification tag; and wherein said querying system is associated with a tag reader.

However, Carrender teaches in an analogous art, a method and apparatus for identification, which comprises an object name query that comprises a 96-bit number derived from an identification tag (paragraphs [0050], [0185], [0189]); and wherein said querying system is associated with a tag reader (paragraphs [0029], [0042], [0044]) .

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Yoakum by incorporating an object name query that comprises a 96-bit number derived from an identification tag for the purpose of tracking electronic tags quickly and efficiently in a database, thereby providing a reliable tag identification method and system.

Regarding claims 4, 14, and 24, Yoakum teaches substantially all the limitations in claim 1, but fails to specifically teach that said object name query comprises information derived from a surface acoustic wave identification tag.

However, the examiner takes "**Official Notice**" that having an object name query comprises information derived from a surface acoustic wave identification tag is well known in the art.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to recognize that having an object name query comprises information derived from a surface acoustic wave identification tag is within the level skill of an artisan in the art for the purpose of tracking electronic tags quickly and efficiently in a database, thereby providing a reliable tag identification method and system.

Regarding claims 6 - 8, 16 - 18, and 26 - 27, Yoakum and Carrender teach all the limitations in claims 1, 11, and 21, and Carrender further teaches that at least some of said peripheral object name servers of said second hierarchical level are associated with corresponding object manufacturers, wherein address spaces of said peripheral object name servers of said second hierarchical level are centrally assigned, and wherein address spaces of said further peripheral object name servers of said third hierarchical level are assigned by corresponding object manufacturers (paragraphs [0186], [0189], [0197]).

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Yoakum by having some of said

Art Unit: 2157

peripheral object name servers of said second hierarchical level are associated with corresponding object manufacturers, wherein address spaces of said peripheral object name servers of said second hierarchical level are centrally assigned, and wherein address spaces of said further peripheral object name servers of said third hierarchical level are assigned by corresponding object manufacturers for the purpose of tracking electronic tags quickly and efficiently in a database, thereby providing a reliable tag identification method and system.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yves Dalencourt whose telephone number is (571) 272-3998. The examiner can normally be reached on M-TH 7:30AM - 6: 00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2157

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yves Dalencourt


July 7, 2005